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Attorneys for Plaintiff
SUCCESSFACTORS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SUCCESSFACTORS, INC. a Delaware
corporation,

Plaintiff,

v.

SOFTSCAPE, INC., a Delaware
corporation; and DOES 1-10,

Defendants.

Case No. C-08-1376 CW (BZ)

**MOTION FOR ADMINISTRATIVE RELIEF TO
FILE UNDER SEAL PLAINTIFF
SUCCESSFACTORS, INC.'S BRIEF AND
DECLARATION EXHIBITS IN SUPPORT OF
MOTION TO COMPEL PRODUCTION OF
DOCUMENTS, FURTHER INTERROGATORY
ANSWERS AND PROPER CONFIDENTIALITY
DESIGNATIONS**

Pursuant to the Protective Order in this case, Civil L.R. 7-11 and 79-5, Plaintiff
SuccessFactors, Inc. ("SuccessFactors") hereby moves the Court for an Order permitting
SuccessFactors to file under seal in this Court the following:

1. Lines 282:1-285:15, 356:1-357:6, 357:8-9, 360:7-360:24, 361:8-9, 361:12-13, 361:22-362:1, 362:4-6, 362:8-13, 362:18-19, 362:24-25, 368:8-10, 368:19-21, 368:23-369:3, 369:8-12, 369:16-20, 370:10-25, 378:7-8, 378:11-15, 378:17-21, 378:23-379:13, 379:15-23, 379:25-380:16, 380:19-21, and 380:23-25 of the Transcript of the May 30, 2008 Deposition of David Watkins (“5/30/08 Watkins Transcript”), Exhibit 2 to the Declaration of Henry Carbajal in Support of Motion to Compel Production of Documents, Further Interrogatory Answers and Proper Confidentiality Designations (“Carbajal Declaration”).

2. Lines 112:1-8, 112:11-15, 127:4-5, 127:22-25, 128:3-6, 128:16, 152:2-3, 152:13-22, 179:18-19, 179:22-23, 180:1, 229:5-16, 227:23-25, 238:4-14 of the Transcript of the May 29, 2008 Deposition of David Watkins (“5/29/08 Watkins Transcript”), Exhibit 3 to the Carbajal Declaration.

3. Lines 43:5-13, 112: 9-10, 180:2-5, 203:1-25, 227:23-25, 228:3-5, 228:8-229:4, 229:17-19, 229:25, 234:1-6, 234:8-12, 234:22-24, and 262:1 of the 5/29/08 Watkins Transcript, Exhibit 3 to the Carbajal Declaration.

4. Lines 3:16-21, 3:25, 4:9-10, 4:12-16, 6:4-5, 6:18-28, 7:1, 7:6-8, 8:1-5, 10:27-28, 12:24-27, 13:1, 14:12-13, 14:21-22, 17:3-5, and 22:8-11 of its Memorandum of Points and Authorities in Support of Motion to Compel Production of Documents, Further Interrogatory Answers and Proper Confidentiality Designations (“Motion to Compel Brief”).

5. Exhibits 1, 11, 12, 15, 16, 17, 18, 19, 21, 22, and 28 to the Carbajal Declaration.

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The above sections of the Carbajal Declaration and Motion to Compel Brief contain information that was designated as confidential in Defendant Softscape, Inc.’s discovery responses, communications, or deposition testimony, as they purportedly pertain to sensitive customer information, personal information, or business practices.

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1 Accordingly, SuccessFactors respectfully requests that the Court allow it to file the above
2 sections of the Carbajal Declaration and Motion to Compel Brief under seal in accordance with
3 the Protective Order and Civil Local Rule 79-5.

4
5 Respectfully submitted,

6 Dated: July 30, 2008

FENWICK & WEST LLP

7
8 By: /s/ Liwen Mah

9 Liwen Mah

10 Attorneys for Plaintiff SUCCESSFACTORS, INC.

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18 Attorneys for Plaintiff
19 SUCCESSFACTORS, INC.

20 UNITED STATES DISTRICT COURT
21
22 NORTHERN DISTRICT OF CALIFORNIA
23
24 OAKLAND DIVISION

25 SUCCESSFACTORS, INC., a Delaware
26 corporation,

27 Plaintiff,

28 v.

29 SOFTSCAPE, INC., a Delaware
30 corporation; and DOES 1-10, inclusive,
31
32 Defendants.

Case No. CV 08 1376 CW

**[PROPOSED] ORDER GRANTING MOTION FOR
ADMINISTRATIVE RELIEF TO FILE UNDER SEAL
PLAINTIFF SUCCESSFACTORS, INC.'S BRIEF AND
DECLARATION EXHIBITS IN SUPPORT OF
MOTION TO COMPEL PRODUCTION OF
DOCUMENTS, FURTHER INTERROGATORY
ANSWERS AND PROPER CONFIDENTIALITY
DESIGNATIONS**

25 Having considered Plaintiff SuccessFactors' Administrative Motion to File Under Seal
26 and the supporting Declaration of Liwen Mah, and good cause appearing therefor, the Court,
27 **HEREBY ORDERS** the following exhibits to the Declaration of Henry Z. Carbajal III ("Carbajal
28 Decl.") and portions of the Memorandum of Points and Authorities ("Motion to Compel Brief")

in Support of Plaintiff SuccessFactors, Inc.'s Motion to Compel Production of Documents,
Further Interrogatory Answers and Proper Privilege Logs to be filed under seal:

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1. Lines 282:1-285:15, 356:1-357:6, 357:8-9, 360:7-360:24, 361:8-9, 361:12-13,
361:22-362:1, 362:4-6, 362:8-13, 362:18-19, 362:24-25, 368:8-10, 368:19-21, 368:23-369:3,
369:8-12, 369:16-20, 370:10-25, 378:7-8, 378:11-15, 378:17-21, 378:23-379:13, 379:15-23,
379:25-380:16, 380:19-21, and 380:23-25 of the Transcript of the May 30, 2008 Deposition of
David Watkins ("5/30/08 Watkins Transcript"), Exhibit 2 to the Carbajal Declaration.

2. Lines 112:1-8, 112:11-15, 127:4-5, 127:22-25, 128:3-6, 128:16, 152:2-3, 152:13-
22, 179:18-19, 179:22-23, 180:1, 229:5-16, 227:23-25, 238:4-14 of the Transcript of the May 29,
2008 Deposition of David Watkins ("5/29/08 Watkins Transcript"), Exhibit 3 to the Carbajal
Declaration.

3. Lines 43:5-13, 112: 9-10, 180:2-5, 203:1-25, 227:23-25, 228:3-5, 228:8-229:4,
229:17-19, 229:25, 234:1-6, 234:8-12, 234:22-24, and 262:1 of the 5/29/08 Watkins Transcript,
Exhibit 3 to the Carbajal Declaration.

4. Lines 3:16-21, 3:25, 4:9-10, 4:12-16, 6:4-5, 6:18-28, 7:1, 7:6-8, 8:1-5, 10:27-28,
12:24-27, 13:1, 14:12-13, 14:21-22, 17:3-5, and 22:8-11 of Plaintiff's Motion to Compel Brief.

5. Exhibits 1, 11, 12, 15, 16, 17, 18, 19, 21, 22, and 28 to the Carbajal Declaration.

IT IS SO ORDERED.

Dated: _____, 2008

The Honorable Bernard Zimmerman
United States Magistrate Judge